

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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CHAD DOERING,

Plaintiff,

v.

Case No. 06-C-785

MARIO CANZIANI, et al.,

Defendants.

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**ORDER**

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Plaintiff has moved for leave to file an amended complaint. In support of his motion, plaintiff states that his amendment is necessary to identify the other individuals involved in the May 1, 2006, incident in which he was unlawfully restrained and secluded. The amended complaint also identifies the claims he intends to assert.

Because the original defendant has already filed an answer, plaintiff must seek leave of the court to file an amended complaint. *See* Fed. R. Civ. P. 15(a). However, such “leave shall be freely granted “when justice so requires.” *Id.*

I conclude from my review of plaintiff’s motion that leave to amend should be granted in this case. Defendants apparently agree since they have already filed an answer to the proposed amended complaint attached to plaintiff’s motion. (Dkt. # 14.) Accordingly, the motion for leave to file an amended complaint is hereby GRANTED. The clerk is to docket the attachment to plaintiff’s motion as the amended complaint, and the answer already filed shall stand as the

defendants' response. Based on the answer filed by the defendants, I also conclude that the added defendants have waived service and appeared voluntarily.

**SO ORDERED** this 11th day of January, 2007.

s/ William C. Griesbach  
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William C. Griesbach  
United States District Judge